

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MILTON A. NELSON,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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Civil No. 03-2286 (PG)
Crim. No. 97-245 (2) (PG)

JUDGMENT

Petitioner Milton Nelson's habeas Petition (D.E. #2) is DENIED, and his Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. §2255 (D.E. # 2) is DISMISSED WITH PREJUDICE. The Petitioner may not appeal this Order unless "a circuit justice or judge issues a certificate of appealability." 28 U.S.C. § 2253 (c)(1). A certificate will be granted "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253 (c)(2). Thus, the Court declines to issue a certificate of appeal.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 7th of August, 2008.

S/JUAN M. PÉREZ-GIMÉNEZ
JUAN M. PÉREZ-GIMÉNEZ
Senior United States District Judge